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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/604,822	08/20/2003	Horng-Bin Hsu	11259-US-PA	1821
31561	7590	07/19/2006	EXAMINER	
JIANQ CHYUN INTELLECTUAL PROPERTY OFFICE 7 FLOOR-1, NO. 100 ROOSEVELT ROAD, SECTION 2 TAIPEI, 100 TAIWAN			SHAPIRO, LEONID	
			ART UNIT	PAPER NUMBER
			2629	

DATE MAILED: 07/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action  
Before the Filing of an Appeal Brief**

Application No.

10/604,822

Applicant(s)

HSU, HORNG-BIN

Examiner

Leonid Shapiro

Art Unit

2629

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 10 July 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.  
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ They raise the issue of new matter (see NOTE below);  
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
The status of the claim(s) is (or will be) as follows:  
Claim(s) allowed: \_\_\_\_\_.  
Claim(s) objected to: \_\_\_\_\_.  
Claim(s) rejected: \_\_\_\_\_.  
Claim(s) withdrawn from consideration: \_\_\_\_\_.

**AFFIDAVIT OR OTHER EVIDENCE**

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.  
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). \_\_\_\_\_  
13. ☐ Other: \_\_\_\_\_.

  
RICHARD HJERPE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

Continuation of 11. does NOT place the application in condition for allowance because: On page 4, 1st paragraph of Remarks Applicant's invited to provide a full text document and translation. Examiner will attach to the Advisory Action a copy of machine translation Watanabe (JP 11-109317), available on Japanese Patent Office website.

On the same page, 2nd paragraph of Remarks Applicant's stated that the abstract contains many grammatical mistakes and ambiguity. However, Drawings 1-5 and paragraphs 0014, 0018-0023 show that the disclosure of the Abstract is sufficient in relation to the claimed subject matter.

On page 5 of Remarks, Applicant's considering three subfield periods in relation to Fig. 15. However, rejection using Fig. 14 with only two subfields, which are non-zero and almost 1/5 of the first transmittance (See Fig. 14, Col. 7, Lines 43-55 and Col. 26, Lines 32-56).

On the same page of Remarks, Applicant's stated that both references do not teach or suggest : "adjusting a grayscale value  $X_a$  of each pixel to a mapping grayscale value  $X_b$ ...". However, Asao et al. teaches the transmittance of the pixels corresponding to the luminance and coefficient for mapping is equal 1/5 (See Fig. 14, items Tx, Ty, Col. 7, Lines 46-55 and Col. 26, Lines 33-56).

Notice, that Asao et al. teaches coefficient for mapping (1/5) completely correspond to definition of the Application for linear mapping correlation as a linear function (See paragraph 0011 in the Application).

On the same page of Remarks, Applicant's stated that Asao does not teach about the grayscale value of each pixel and their adjustment. However, even in Abstract, Asao teaches: "...control means for effecting a plurality of displaying operations at each pixel".

On page 6, 2nd paragraph of Remarks Applicant's stated that "when the maximum grayscale  $X$  of all pixels in the present image is detected, brightness of the back-light module is adjusted to  $(X/N) \times L$  and a grayscale value  $X_a$  of each pixel is adjusted to a mapping grayscale value  $X_b$ ". However, this limitation is addressed by Watanabe reference (See Solution).

On page 7, 2nd and 3rd paragraph of Remarks, Applicant's stated that Watanabe does not teach "detecting the maximum grayscale of all pixel in the present image". However, Watanabe teaches maximum level of luminance, which is maximum gray scale for all pixels by the detection of the luminance (See Drawing 3, item 3, paragraph 0017).